

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERIC JUSTIN DIETRICH, *et. al.*,

Plaintiffs,

v.

PETER K. TIERNAN, *et. al.*,

Defendants.

---

Case No. 13-13935

Honorable John Corbett O'Meara

**ORDER OF DISMISSAL**

Plaintiffs filed a complaint in this court September 13, 2013, asserting that the court has federal subject matter jurisdiction based on diversity of citizenship pursuant to 28 U.S.C. § 1332. However, the complaint states that Plaintiffs are citizens of the State of Michigan and that at least three of the defendants are citizens of Michigan. Because the parties to this action are not diverse and no federal question is at issue, the court lacks federal subject matter jurisdiction over the claims.

Therefore, it is hereby **ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara  
United States District Judge

Date: September 30, 2013

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, September 30, 2013, using the ECF system and/or ordinary mail.

s/William Barkholz  
Case Manager